

# PATENT COOPERATION TREATY

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 DATE 8/11/03  
 PAPER DATED  
 OA FINAL  
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 APPEAL ISSUE FEE  
 OTHER *att. 9 amend*

## PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
 MARK F. HARRINGTON  
 HARRINGTON & SMITH, LLP  
 4 RESEARCH DRIVE  
 SHELTON, CT 06484-6212

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

RECEIVED

AUG 13 2003

Date of Mailing  
 (day/month/year)

11 AUG 2003

Applicant's or agent's file reference  
 012A.0063.U1

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.  
 PCT/US03/09155

International filing date  
 (day/month/year)

25 March 2003 (25.03.2003)

Applicant  
 ACMI CORPORATION

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

**For more detailed instructions,** see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

**4. Reminders**

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90 *bis*.1 and 90 *bis*.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US  
 Mail Stop PCT, Attn: ISA/US  
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 P.O. Box 1450  
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Authorized officer

Linda C Dvorak

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# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

To: MARK F. HARRINGTON HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212	<div style="text-align: center; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>RECEIVED</b>  <div style="border: 1px solid black; padding: 2px; display: inline-block;">AUG 13 2003</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           Applicant's or agent's file reference            012A.0063.U1         </div> <div style="width: 50%;">           Date of Mailing            (day/month/year) <b>11 AUG 2003</b> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           International application No.            PCT/US03/09155         </div> <div style="width: 50%;">           International filing date            (day/month/year)            25 March 2003 (25.03.2003)         </div> </div> <div style="border-top: 1px solid black; padding-top: 5px;">           Applicant            ACFI CORPORATION         </div>
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1.	<input checked="" type="checkbox"/>	The applicant is hereby notified that the international search report has been established and is transmitted herewith.  <b>Filing of amendments and statement under Article 19:</b> The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):  <div style="margin-left: 20px;"> <b>When?</b> The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.   <b>Where?</b> Directly to the International Bureau of WIPO, 34, chemin des Colombettes            1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35   <b>For more detailed instructions,</b> see the notes on the accompanying sheet.         </div>
2.	<input type="checkbox"/>	The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3.	<input type="checkbox"/>	<b>With regard to the protest</b> against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that: <div style="margin-left: 20px;"> <input type="checkbox"/> the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.  <input type="checkbox"/> no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.         </div>
4.		<b>Reminders</b>  Shortly after <b>18 months</b> from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90 <i>bis</i> .1 and 90 <i>bis</i> .3, respectively, before the completion of the technical preparations for international publication.  Within <b>19 months</b> from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase <b>until 30 months</b> from the priority date (in some Offices even later); otherwise the applicant must, <b>within 20 months</b> from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.  In respect of other designated Offices, the time limit of <b>30 months</b> (or later) will apply even if no demand is filed within 19 months.  See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the <i>PCT Applicant's Guide</i> , Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230	Authorized officer <div style="text-align: center; margin-top: 10px;">           Linda C Dvorak       </div> Telephone No. (703) 308-0858
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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 012A.0063.U1	<b>FOR FURTHER ACTION</b>	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US03/09155	International filing date ( <i>day/month/year</i> ) 25 March 2003 (25.03.2003)	(Earliest) Priority Date ( <i>day/month/year</i> )
Applicant ACMI CORPORATION		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the Report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐

contained in the international application in written form.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority in written form.

☐

furnished subsequently to this Authority in computer readable form.

☐

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (See Box II).

4. With regard to the **title**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐

the text is approved as submitted by the applicant.

☒

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 2

☒

as suggested by the applicant.

☐

because the applicant failed to suggest a figure.

☐

because this figure better characterizes the invention.

☐

None of the figures

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/09155

### Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

The technical features mentioned in the abstract do not include a reference sign between parentheses (PCT Rule 8.1(d)).

#### NEW ABSTRACT

The invention comprises an endoscope (10) including a handle (12) and a shaft (14) extending from the handle (12). The shaft has a front end (18) with a first active deflection section (34) and a second active deflection section (36). The first active deflection section is limited to deflection in a first plane and the second active deflection section is limited to deflection in a second different plane. The first plane is angled to the second plane.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/09155

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61B 1/00

US CL : 600/146

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 600/146, 141, 142, 148

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X —	US 5,916,147 A (BOURY) 29 June 1999 (29.06.1999), entire document.	
X —	US 5,441,483 A (AVITALL) 15 August 1995 (15.08.1995), entire document.	

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

03 June 2003 (03.06.2003)

Date of mailing of the international search report

11 AUG 2003

Name and mailing address of the ISA/US

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## NOTES TO FORM PCT/ISA/220 (continued)

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

The statement should be brief, it should not exceed 500 words if in English or if translated into English.

It should not be confounded with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It should not contain any disparaging comments on the international search report or the relevance of citations contained in the report. Reference to citations, relevant to a given claim, contained in the international search report, may be made only in connection with an amendment of that claim.

### In what language?

The amendments must be made in the language in which the international application is published. The letter and any statement accompanying the amendments must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

### Consequence if a demand for international preliminary examination has already been filed?

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase?

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.